

# Notice of Allowability

Application No.

10/803,136

Examiner

Lars A Olson

Applicant(s)

WOODALL ET AL.

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received from the applicant on March 4, 2005.

2. ☒ The allowed claim(s) is/are 1-20.

3. ☒ The drawings filed on 3/15/2004 are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some\* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_

4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other \_\_\_\_\_

### Reasons for Allowance

1. An amendment was received from the applicant on March 4, 2005.
2. Claims 1-20 are allowed.
3. The following is an examiner's statement of reasons for allowance. The fuel depot for providing fuel to ships as claimed is not shown or suggested in the prior art because of the use of a fuel depot that is comprised of an elongate flexible bladder member with flexible hull walls and divider walls for forming compartments for containing fuel, each of said compartments having a fuel valve and a fuel pump, and said bladder member having a controllable buoyancy for permitting both surface and submerged transit, a fuel and water tight composition, a submersible propulsion system that is connected by towlines to said bladder member, and a command/control system on said submersible propulsion system for coupling driving signals to said propulsion system to tow and steer said flexible bladder member, said command/control system being further comprised of a preprogrammed computer, an inertial navigation system, a global positioning system, and an RF transceiver for generating driving signals. The prior art also does not show or suggest the use of a method for providing fuel to ships that is comprised of the steps of providing an elongate flexible bladder member with flexible hull walls and divider walls for forming compartments for containing fuel, providing buoyancy control to said bladder member to permit submerged transit, applying a fuel and water tight composition, preventing fuel leaks by said composition, connecting a submersible propulsion system by towlines to said bladder member,

towing said bladder member submerged by said propulsion system, coupling driving signals from a command/control system on said submersible propulsion system to said propulsion system, and steering said flexible bladder by means of said propulsion system receiving said driving signals from said command/control system.

4. The prior art as disclosed by Roper et al. (US 4,506,623) shows the use of a buoyant marine storage vessel for fluids. Golay et al. (US 3,698,339) discloses a ~~method and means for the transport of liquids underwater using a submersible~~ propulsion system that is connected by towlines to a submersible storage means. And newly cited references by Reimers (US 6,550,410), Shank, Jr. (US 5,235,928) and Knaus et al. (US 3,779,196) disclose the use of flexible storage containers for transporting liquids over a body of water, and methods for towing said containers with a propulsion system. However, none of the prior art cited shows or suggests the use of a fuel depot for providing fuel to ships that is comprised of an elongate flexible bladder member with flexible hull walls and divider walls for forming compartments for containing fuel, each of said compartments having a fuel valve and a fuel pump, and said bladder member having a controllable buoyancy for permitting both surface and submerged transit, a fuel and water tight composition, a submersible propulsion system that is connected by towlines to said bladder member, and a command/control system on said submersible propulsion system for coupling driving signals to said propulsion system to tow and steer said flexible bladder member, said command/control system being further comprised of a preprogrammed computer, an inertial navigation system, a global positioning system, and an RF transceiver for generating driving signals. The

prior art also does not show or suggest the use of a method for providing fuel to ships that is comprised of the steps of providing an elongate flexible bladder member with flexible hull walls and divider walls for forming compartments for containing fuel, providing buoyancy control to said bladder member to permit submerged transit, applying a fuel and water tight composition, preventing fuel leaks by said composition, connecting a submersible propulsion system by towlines to said bladder member, towing said bladder member submerged by said propulsion system, coupling driving signals from a command/control system on said submersible propulsion system to said propulsion system, and steering said flexible bladder by means of said propulsion system receiving said driving signals from said command/control system.

### ***Conclusion***

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
6. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (571) 272-6685.

lo

April 13, 2005

LARS A. OLSON  
PRIMARY EXAMINER

*Lars Olson*  
4/13/05



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Department of the Navy  
Office of the Chief of Naval Research  
Intellectual Property Law Division  
ATTN: (OCCC12)  
800 North Quincy Street  
Arlington, VA 22217-5000

13 MAY 2005

ATTN: INA GRIFFIN

The application identified below was referred to you for review under 35 U.S.C. §181 on 04/15/04. The Patent and Trademark Office has not received a communication from you regarding secrecy of this application under §181.

Examination of this application has been completed and has been found to be in condition for allowance. Since the Patent and Trademark Office has no authority to withhold the issue of a patent absent a recommendation for a secrecy order under §181, this application is being prepared for issue as a patent.

The Access Acknowledgment mailed to you must be returned to this Office.

Referred Application  
Serial Number

Serial Number of File Wrapper  
Continuation Application (if any)

Filing Date of  
Referred Appl

10/803,136

03/15/04

Sincerely,

For J. Samuels  
Review Supervisor  
Licensing & Review